

**MINUTES OF THE
MARICOPA ASSOCIATION OF GOVERNMENTS
REGIONAL COUNCIL MEETING**

March 26, 2003
MAG Office, Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Mayor Wendy Feldman-Kerr, Queen Creek, Chair	Mayor J. Woodfin Thomas, Litchfield Park
Mayor Joan Shafer, Surprise, Vice Chair	Supervisor Max W. Wilson for
Councilmember Brian Milkey for Mayor	Supervisor Don Stapley, Maricopa County
Douglas Coleman, Apache Junction	Mayor Keno Hawker, Mesa
*Mayor Ron Drake, Avondale	Mayor Edward Lowry, Paradise Valley
*Mayor Dusty Hull, Buckeye	*Mayor John Keegan, Peoria
*Mayor Edward Morgan, Carefree	*Mayor Skip Rimsza, Phoenix
*Vice Mayor Ralph Mozilo, Cave Creek	*President Joni Ramos, Salt River
Mayor Boyd Dunn, Chandler	Pima-Maricopa Indian Community
Mayor Robert Robles, El Mirage	Mayor Mary Manross, Scottsdale
Mayor Jon Beydler, Fountain Hills	Mayor Neil Giuliano, Tempe
Mayor Chuck Turner, Gila Bend	*Mayor Adolfo Gamez, Tolleson
Governor Richard Narcia, Gila River Indian	Mayor Lon McDermott, Wickenburg
Community	*Mayor Daphne Green, Youngtown
Mayor Steven Berman, Gilbert	Rusty Gant, ADOT
Mayor Elaine Scruggs, Glendale	Joe Lane, ADOT
Vice Mayor James Cavanaugh, Goodyear	F. Rockne Arnett, Citizens Transportation
Mayor Margarita Cota, Guadalupe	Oversight Committee

* Those members neither present nor represented by proxy.
Attended by videoconference or by telephone conference call.

1. Call to Order

The meeting of the Regional Council was called to order by Chairman Wendy Feldman-Kerr at 5:08 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

A moment of silence was observed for the troops fighting in the Mideast.

Chairman Feldman-Kerr welcomed proxies Councilmember Brian Milkey for Mayor Douglas Coleman, Apache Junction, and Supervisor Max W. Wilson for Supervisor Don Stapley, Maricopa County.

Chairman Feldman-Kerr stated that the RPTA has agreed to provide transit tickets for those who used transit to come to the meeting. She stated that garage parking validation was available from staff.

Chairman Feldman-Kerr stated that due to the room's acoustics, audience conversations carry over to the Council table, making it difficult to hear presentations. She requested that the audience keep conversations to a minimum during the meeting.

Chairman Feldman-Kerr stated that MAG staff, who are seated at each end of the entryways to the Regional Council table on both sides of the room, are available to assist members of the public in turning in their public comment cards.

Chairman Feldman-Kerr stated that for agenda item #11, Legislative Update, a memorandum was at each place.

Chairman Feldman-Kerr presented a Resolution of Appreciation to Chuck Eaton, ADOT, who is retiring after 30 years' service to the State and the MAG region.

Chairman Feldman-Kerr introduced and welcomed new Regional Council member Vice Mayor James Cavanaugh from Goodyear. She presented Vice Mayor Cavanaugh with his Regional Council membership certificate. Vice Mayor Cavanaugh thanked Chairman Feldman-Kerr and stated that he will be sworn in as mayor on June 9. He expressed that he looked forward to working with the Regional Council.

3. Call to the Audience

Chairman Feldman-Kerr stated that according to MAG's public comment process, members of the audience who wish to speak are requested to fill out the cards, which are available on the tables adjacent to the doorways inside the meeting room. She noted that there is a three minute time limit. Public comment is provided at the beginning of the meeting for non-agenda items.

Chairman Feldman-Kerr recognized public comment from Bob McKnight, who stated that he hoped all had read the "Dilbert" cartoon that was included in the material he provided. This material was included as part of the permanent record. Mr. McKnight spoke about his efforts to get an organizational chart of the trolley project. He stated that even Dilbert recognizes the importance of organizational charts. Mr. McKnight referred to the organizational chart on the last page of his material. Mr. McKnight stated that this chart does not show how this organization works. He wants a chart that shows how the project is managed, the players, the responsibilities, who reports to whom and how they interact and fit together. The chart does not show all 63 consultants working on the project, and it is difficult to keep them all straight. Mr. McKnight referred to page two of his material. He explained that he had drafted a table to show the consultants doing the engineering involved in each task. Mr. McKnight stated that he did not understand what a managing station or a GEC team was. He stated that the engineers should be called designers, which designates emotional work, whereas engineers deal with facts. Mr. McKnight stated that for the \$38 million spent on the project, he sees design work, not engineering work. Chairman Feldman-Kerr thanked Mr. McKnight for his comments.

Chairman Feldman-Kerr recognized public comment from Joseph Ryan, who stated that the CTOC annual report makes a recommendation to have rapid transit in the area. The report suggests a rapid transit route along existing highway right of way. Mr. Ryan stated that the objective is to provide faster and less costly transportation for all, and get traffic off congested highways and feeder routes. He asked where should rapid transit routes go—on top of existing rapid transit routes or within five miles of either

side. Mr. Ryan stated that arterials are already congested, and if you put a rapid transit station in the middle of I-17, what does this do to feeder routes? On the other hand, if you have elevated rapid transit routes within five miles, you will have a shorter route for those who want to get on, and you will have better infrastructure on existing and new routes. Chairman Feldman-Kerr thanked Mr. Ryan for his comments.

Chairman Feldman-Kerr recognized public comment from DD Barker, who asked members to consider that the points she would make were based on recorded facts. Ms. Barker stated that she has read the environmental impact study and record of decision. We can do better in policies and being energy wise. She mentioned that Blue Crowley asked a question about using solar energy as an alternative energy source for non-polluting rail. The answer given said that no comments could be provided at that time, November 2, because the issue was still under evaluation. However, in the record of decision in January 2003, Leslie T. Rogers, FTA, said the system primarily will be at-grade, powered electrically by overhead power lines. That indicates that the decision has been made on the energy source that the system will be powered electrically. Ms. Barker commented that there are many firms that contributed heavily to Transit 2000, such as APS, and perhaps they have a solar energy department. Ms. Barker stated that in the record of decision, one of the reasons given for rapid transit service is improved transit service. An estimate of 12 mph for the light rail line on Central Avenue has been given, but most vehicles now travel at speeds of 35 mph on the road, so how is that an improvement? Ms. Barker stated that RPTA is designated by law to be applying a rapid component to the existing system. We have a build/no build scenario. Ms. Barker stated that build is to build light rail. No-build is to exist with the bus system or at-grade. She stated that multimodalism feels good. Chairman Feldman-Kerr thanked Ms. Barker for her comments.

4. Executive Director's Report

Dennis Smith updated members on the federal reauthorization of TEA-21. He stated that Senators Bond and Reid will offer an amendment on the Senate Floor to the fiscal year 2004 Budget that would increase funding reserved for highway appropriations from \$30.5 billion to \$39.3 billion. The amendment will also include a provision that there would have to be a revenue generating mechanism, such as a gas tax increase or indexing, which would set the floor for the TEA-3.

Chairman Feldman-Kerr provided an update on Town Hall. The Town Hall will be held at the Black Canyon Conference Center on Friday, March 28 from 8:00 to 4:00 p.m. She noted that registration will begin at 7:30 a.m. Chairman Feldman-Kerr stated that approximately 150 RSVP's have been confirmed. She added that invitations were sent to leadership programs, community leaders, and the Greater Phoenix Chamber of Commerce. Chairman Feldman-Kerr commented that the goal was to include those who have not traditionally had a voice in the transportation planning process. She stated that elected officials were welcome to attend as observers. Chairman Feldman-Kerr stated that she will provide the welcome, Mayor Scruggs will provide an overview of the Transportation Policy Committee, and Eric Anderson will provide an overview of transportation in the region. In addition, the lunch speaker will be Katie Lincoln, President of the Lincoln Foundation. Chairman Feldman-Kerr noted that sponsorships total more than \$12,500. She stated that a report will be generated and distributed to the Regional Council, Transportation Policy Committee, and Town Hall attendees.

Mr. Smith introduced Seth Paine, who was hired to fill the approved position for Regional Development in the GIS department. Mr. Paine works in the Information Services Division as a Decision Support Analyst. He graduated from Arizona State University with a master's degree in Geography, and a

bachelor of science in Wildlife Management from the University of New Hampshire. Mr. Smith added that Mr. Paine worked as a GIS Intern and a Research Analyst at the City of Tempe. He also volunteered as a Parks and Wildlife Biologist in the Peace Corps in Morocco. Mr. Smith introduced Debba Determan, Human Services Manager. She replaces Mary Thomson, who now works on Domestic Violence for the Governor's office. Ms. Determan graduated from the University of Minnesota with two master's degrees in Public Health and Social Work, and a bachelor of liberal arts. Mr. Smith stated that Ms. Determan formerly worked at the City of Mesa as the Human Services Coordinator. Mr. Smith introduced Julie Kicksey, who joins the Environmental Programs Division as an Air Quality Planner I. He stated that Ms. Kicksey filled a vacancy created by a staff member's promotion. Ms. Kicksey graduated from Minnesota State University Moorhead with a bachelor's degree in finance and a minor in economics. Prior to MAG, she worked as an intern for Maricopa County.

5. Approval of Consent Agenda

Chairman Feldman-Kerr stated that public comment is provided for consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the committee can request that an item be removed from the consent agenda and considered individually. Chairman Feldman-Kerr stated that agenda items #5A through #5G were on the consent agenda.

Mayor Thomas asked for clarification of the increase of \$9.4 million shown on agenda item #5C, Proposed Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Highway Projects. He noted that it seemed the increase should only be \$150,000. Paul Ward stated that was an error, the total is still \$9.4 million, and is not an increase, but a realignment. Mayor Thomas asked for clarification if Pima County had input into agenda item #5D, Recommendations to Arizona Department of Transportation for the FTA Elderly and Persons with Disabilities Transportation Program (EPDT), since it is statewide funding. Mr. Smith explained that MAG ranks the projects and submits them to ADOT, after which they compete statewide for funding.

Chairman Feldman-Kerr recognized public comment from Mr. McKnight, who commented on agenda item #5E, Consultant Selection for the MAG ITS/Traffic Engineering On-Call Services Request for Qualifications. He stated that seeing ITS projects perks him up because a lot of money can be saved using ITS effectively. Mr. McKnight stated the summary transmittal says no public input has been received, but he has not been able to comment. He stated that the Predictive Priority System says that the trolley will slow down traffic by only 10 percent. Mr. McKnight stated that ITS will work if done systemwide—you cannot do it piece by piece. He commented that it seemed that no one is looking at heavy ITS and now you are fracturing it even more. Mr. McKnight stated that Parsons Brinckerhoff consultants are in each area of the projects, but he is not surprised at that. He commented that the consultants are bringing fire extinguishers and not solving problems. We have 20 projects over two years, but we need one large project. Mr. McKnight stated that the average person wants to know how fast to drive to get where they are going. The government treats drivers as criminals just because they are driving as fast as they can to get somewhere. Mr. McKnight stated that the traffic signals are timed at a 45 mph speed, but the speed limit on roads is 35 mph. Any wonder that doesn't work? We do not need consultants to figure that one out. He stated that Thomas Road and other major arterials in Phoenix have two lanes going westbound and three lanes going eastbound. His question is how did they come up with that? Any wonder we have problems? Chairman Feldman-Kerr thanked Mr. McKnight for his comments.

Chairman Feldman-Kerr recognized public comment from Ms. Barker, who commented on agenda item #5E, Consultant Selection for the MAG ITS/Traffic Engineering On-Call Services Request for Qualifications. She stated that she valued the opportunity for participation at MAG. She stated that she tries to read the materials because she cannot always attend the meetings. President George Washington said as he was retiring as president that he could now join the higher station, that of a citizen. Ms. Barker stated that it would be preferable to see more examples of verifiable figures to show ITS is moving traffic. Ms. Barker stated that she has asked staff about percentages and was told there is a 10 to 15 percent improvement because of ITS, but she would have liked more background on statistics. Ms. Barker stated that if HB 2292 is passed, planning and administrative funds will come to MAG. We need to know where the money is going and to the best use. Ms. Barker stated that there is not an independent audit because all use DeLoitte and Touche. Chairman Feldman-Kerr thanked Ms. Barker for her comments.

Chairman Feldman-Kerr recognized public comment from Mr. Ryan, who commented on agenda item #5E, Consultant Selection for the MAG ITS/Traffic Engineering On-Call Services Request for Qualifications. Mr. Ryan stated that he would like to hear discussion on the performance of consultants. After that, the Regional Council may want to reconsider who is on the list. Mr. Ryan commented on safety being the first consideration. He stated that there are two places the trolley tracks are not in the middle of the street—South on First Avenue/East on Jefferson, and West on Washington/North on Central. Every five minutes a 270-foot vehicle will go across the lanes. Anyone designing this should have his head examined because it is not safe. Mr. Ryan commented on resources because of the special events factor. One lane on Jefferson will be ripped up for siting so trolleys will be ready for passengers when games end. On Washington east of the station will be another lane torn out, but this will be for only one block. Mr. Ryan commented on the costs for these extra vehicles, plus the operators, waiting for these events to be over. This is a waste of assets and drivers on Washington and Jefferson will be inconvenienced. Chairman Feldman-Kerr thanked Mr. Ryan for his comments.

Chairman Feldman-Kerr asked if there were requests to remove an item from the consent agenda. Hearing none, she asked for a motion.

Vice Chair Shafer moved to approve consent agenda items #5A, #5B, #5C, #5D, #5E, #5F, and #5G. Mayor Neil Giuliano seconded, and the motion carried unanimously.

5A. Approval of February 26, 2003 Meeting Minutes

The Regional Council, by consent, approved the February 26, 2003 meeting minutes.

5B. Conformity Consultation

The proposed amendment to the FY 2003-2007 MAG Transportation Improvement Program (TIP) includes a request from the Arizona Department of Transportation to add a new project in FY 2003 that will result in the re-striping of Interstate-10 between 7th Street and 7th Avenue. The results of the regional emissions analysis indicate that the inclusion of the project in the TIP and Long Range Transportation Plan 2002 Update meet the transportation conformity requirements for carbon monoxide, ozone, and particulate matter. In addition, the cities of Avondale, Chandler and Phoenix have requested changes to dirt road paving projects; the City of Phoenix has requested a change to a bicycle bridge project; and the City of Mesa has requested a change to an Intelligent Transportation System project.

Also, the funding for seven ADOT projects on Loop 202 Red Mountain Freeway and Santan Freeway are being revised to “advance construct” roadway for repayment with Grant Anticipation Notes.

5C. Proposed Amendment to the FY 2003-2007 MAG Transportation Improvement Program for Highway Projects

The Regional Council, by consent, approved the proposed amendment to the FY 2003-2007 MAG Transportation Improvement Program as shown on the attached Tables One and Two. MAG has received a request from the Arizona Department of Transportation to add a new project in FY 2003 that will result in the re-striping of Interstate-10 between 7th Street and 7th Avenue. On January 30, 2003, the Transportation Review Committee (TRC) recommended approval of this amendment. In addition, the Cities of Avondale, Chandler and Phoenix have requested changes to dirt road paving projects; the City of Phoenix has requested a change to a bicycle bridge project; and the City of Mesa has requested a change to an ITS project. Further, ADOT has notified MAG of the need to change the potential funding source for seven regional freeway system projects on the Red Mountain and Santan Freeways in FYs 2003 and 2004. Currently, the funding source is defined as RARF/15 percent funding. However, the projects are being advance constructed for federal purposes and will be repaid by Grant Anticipation Note (GAN) funding in future years. The Management Committee and the Transportation Policy Committee recommended approval of the amendment.

5D. Recommendations to Arizona Department of Transportation for the FTA Elderly and Persons with Disabilities Transportation Program (EPDT)

The Regional Council, by consent, approved forwarding the priority listing of applicants for FTA Elderly and Persons with Disabilities Transportation Program to the Arizona Department of Transportation. On February 24, 2003, the MAG FTA Elderly and Persons with Disabilities Transportation Ad Hoc Committee ranked applications for the Federal Transit Administration (FTA) Section 5310 funding. These funds provide capital assistance to agencies and public bodies that provide transportation services for people who are elderly and for people who have a disability. The ranking provided by MAG is considered by ADOT in determining which applicants are to be awarded.

5E. Consultant Selection for the MAG ITS/Traffic Engineering On-Call Services Request for Qualifications

The Regional Council, by consent, approved the selected list of consultants for the ITS/TE on-call services, for amounts not to exceed the following: (1) ITS Planning \$50,000; (2) ITS Outreach \$50,000; (3) ITS Training \$50,000; (4) ITS Evaluation \$ 150,000; (5) Traffic Signal Operations \$ 300,000; (6) Data Collections Systems \$100,000. The 2003 MAG Unified Planning Work Program includes four project areas related to ITS: Regional Smart Corridors, ITS Training, ITS Evaluation and ITS On-Call. These project areas were subdivided into six specific areas of technical expertise, which required consultant services to reach regional ITS objectives. It is anticipated that approximately 20 projects in the six areas will be launched over the next two years. A request for qualifications was advertised on November 27, 2002, and 16 consulting teams submitted proposals. A multijurisdictional selection panel evaluated the proposals and reached a consensus to recommend selecting a number of qualified consultant teams in each of the six areas of expertise. The Management Committee recommended the selected list of consultants.

5F. FY 2003 MAG Mid-Phase Public Input Opportunity

During the mid-phase public input opportunity, MAG co-sponsored several events from the end of January 2003 through March 6, 2003 in cooperation with the Arizona Department of Transportation, Valley Metro/Regional Public Transportation Authority, and Valley Metro Rail. Opportunities included a freeway opening, a “MAG at the Mall” event and a Joint Agency Open House and Public Hearing. Additional opportunities included small group presentations, Black History Month events in Phoenix and Peoria, participation in several Hispanic community events such as the Latino Institute, Hispanic Chamber of Commerce, and the 8th Annual Seminar in Spanish and Business Expo event. The FY 2003 Mid-Phase Input Opportunity Report contains all of the information gathered at these meetings and events, as well as comments received at Management Committee and Regional Council meetings.

5G. Amendment of Contract with Planning Technologies for Model Enhancements

The Regional Council, by consent, approved increasing the contract with Planning Technologies by \$30,000 from \$50,000 to \$80,000 for socioeconomic model enhancements. The FY 2003 MAG Unified Planning Work Program and Annual Budget, approved by the Regional Council in May 2002, includes a work element to enhance the Subarea Allocation model that MAG uses for the preparation of socioeconomic projections. This custom model was developed for MAG by Planning Technologies. The enhancements to the model are needed to improve the small-area allocation routines for non-basic employment and to modify routines to incorporate database updates in preparation for the next round of socioeconomic projections. An amendment is requested to increase the contract with Planning Technologies by \$30,000 from \$50,000 to \$80,000 to cover these model enhancements. The Management Committee recommended approval.

6. Transportation Policy Committee Update

Mayor Giuliano provided an update on recent activities of the Transportation Policy Committee. Mayor Giuliano stated that the Committee is on schedule. Mayor Giuliano advised that the milestone and decision point grid had been updated and would be sent to the Regional Council. He stated that at the March 19 meeting there was significant discussion of legislative issues, on which Mr. Smith would provide a more detailed report under agenda item #8, Legislative Update. In addition, the transportation modes that could be funded by the half cent sales tax were discussed. Mayor Giuliano stated that the TPC has been given good information that a May 18, 2004 election will be feasible. Staff is looking at program and project submissions and how they fit and apply to performance measures in order to have a plan to bring to the Regional Council on schedule. Chairman Feldman-Kerr thanked Mayor Giuliano for his report and asked if there were questions.

7. Transportation Outreach to MAG Member Agencies

Kelly Taft gave a presentation on outreach efforts to MAG member agencies to better provide information to them, seek their input, and assist in informing community residents regarding MAG transportation planning efforts. Examples of materials that can be provided to member agencies are newsletter inserts, fact sheets, informational materials, a video to play on city cable channels and a media kit. A Web site is also being developed, letskeepmoving.com, that can be linked to member agency Web sites. Ms. Taft requested that members identify representatives or organizations that would be effective in communicating the plan to citizens, preferred methods of communication, and materials needed.

Mayor Giuliano stated that the TPC would like member agencies to provide mail lists of Boards and Commission members, neighborhood association chairs, boards of chambers of commerce, or any key constituencies for use in this effort. He commented that these are the people that the Committee wants to keep up to date on Regional Transportation Plan activities. Mayor Giuliano stated that a memorandum is emailed after each TPC meeting, and email addresses are needed to add to the list. Mayor Giuliano stated that ideas from the Regional Council are welcome.

Mayor Scruggs suggested that cities could disseminate this information to their city's groups. She explained that it is their city's policy to not provide personal information outside of use by the city.

Mayor Dunn asked for clarification on compiling lists of business community leaders. Ms. Taft replied that she could provide a list on what has already been compiled. Mayor Dunn stated that he would double check to see if the business community in his city was getting the information.

8. Air Quality Update

Lindy Bauer stated that the Arizona Center for Law in the Public Interest filed a lawsuit challenging the Environmental Protection Agency approval of the Revised MAG 1999 Serious Area Particulate Plan for PM-10 for the Maricopa County Nonattainment Area. On December 19, 2002, the Environmental Protection Agency filed its brief in defense of the plan. Ms. Bauer stated that the Center filed a second brief to refute the EPA arguments in defense of the plan on January 17, 2003. She explained the main arguments included in the second brief. Ms. Bauer mentioned that the EPA anticipates a court decision in July 2003, which is in the same time frame that the Regional Transportation Plan is being finalized. Ms. Bauer displayed a recently updated timeline of the lawsuit. Ms. Bauer stated that the next step is for the court to schedule oral arguments. Chairman Feldman-Kerr thanked Ms. Bauer for her report.

9. Community Emergency Notification System Update

Chief Harry Beck, Mesa Fire Department, and Chairman of the MAG 911 Oversight Team, stated that in January 2003, the Arizona Department of Environmental Quality awarded a \$2.5 million contract to the Maricopa Association of Governments and Qwest Communications to jointly develop and operate a community emergency notification system (CENS) for Maricopa County. The system will rapidly notify those living or working near the scene of an emergency in Maricopa County by telephone and provide them with information and any required emergency instructions in English or Spanish. Chief Beck reviewed the first step, which is technical development of the project. Preparation of the database, which is the same database used for the 911 system, is underway. Chief Beck stated that another component is training of the Public Safety Answering Point (PSAP) Managers. He explained that the concepts for activating the system need to be developed, because ultimately, it will come back to the PSAP to activate the system when there is an incident. Chief Beck stated that the public awareness campaign is also a significant part of the effort. He explained that issues for consideration during the policy process include defining system activation thresholds, liability considerations, and ongoing funding. Chief Beck stated that the MAG system will be a first in the nation for a system this large. He advised that the funds will sustain the system for three to five years so alternate funding sources need to be found for system continuation. He added that options include user fees or addressing notification systems as a statewide 911 issue. Chief Beck stated that a CENS Stakeholder Work Group will be formed to ensure all interested parties have a voice in setting the policies. The CENS Stakeholder Work Group needs to be a diverse group representing all potential users of the system. These groups include public safety, flood control, homeland security, animal control, emergency management, and legal and

citizen representation. Chief Beck explained that vendors may attempt to contact cities in regard to providing products similar to what the MAG system will offer. He cautioned that their products are based on the telephone book and are not as accurate nor as well maintained as the MAG 911 system. Chief Beck advised that vendors are very active, and before taking any action, cities should refer them to either himself or the MAG 911 Administrator.

Vice Chair Shafer asked if cities would be notified about purchasing necessary equipment. Chief Beck replied that the goal is to stay in contact with each public safety agency, not only for input, but on other concerns.

Mayor Thomas asked how the citizen representative on the stakeholders group will be identified. Chief Beck replied that MAG 911 is actively pursuing stakeholders from citizens groups, and would like suggestions for that as well.

Mr. Smith clarified that the CENS project manager who will be hired will be a city of Phoenix Fire Department employee, because the City serves as the contract administrator for the 911 system. He added that most municipalities are represented on the Public Safety Answering Point Committee.

10. Discussion of the Draft FY 2004 Unified Planning Work Program and Annual Budget and Expenditures and Projects in the MAG Unified Planning Work Program and Annual Budget

As part of our new budget process, staff is implementing an incremental review of key components of the budget and work program, leading to approval of the budget and work program in May 2003. For the March meeting, staff is providing the draft FY 2004 Unified Planning Work Program and Annual Budget. This information is considered draft and subject to change. To further assist our member agencies, we are producing a summary budget document, called "MAG Programs in Brief." The purpose of this document is to provide an easy snapshot of the MAG budget. Please refer to the enclosed material.

Becky Kimbrough gave a presentation on the latest draft of the 2004 budget. Ms. Kimbrough explained that the work program and annual budget are being presented incrementally this year to provide for more continual input and communication on the development. She stated that the dues and assessments, timeline, and summary document were presented in January. In February, early budget information was presented, and a videoconferencing workshop was held. Ms. Kimbrough stated that a draft Work Program was included in the agenda packet. She stated that another presentation on the Work Program is not anticipated prior to approval in May unless changes are required. Ms. Kimbrough explained that the Intermodal Planning Group will be at the MAG office on April 3 for a presentation, after which any changes requested by the Group will be communicated to members. She noted that this year, to save on costs, the Work Program will be printed in black and white, with the exception of the four page MAG Programs in Brief summary that will be printed in color. Ms. Kimbrough stated that the budget includes all proposed new projects, and a five percent staff performance-based salary increase for those who merit it. Chairman Feldman-Kerr thanked Ms. Kimbrough for her report.

11. Legislative Update

Mr. Smith provided an update of House Bill 2292. He mentioned the seven points approved by the Regional Council for discussion on HB 2292. Mr. Smith stated that there has been a very intensive effort to resolve issues in regard to the bill. The proposed amendments on HB 2292 will be offered

Monday, March 31 at 1:30 p.m. at the Senate Finance Committee meeting, and are supported by the business coalition. Mr. Smith stated that at each place was a packet of information on HB 2292. He stated that work has continued with the bill's sponsor on the safeguards issue. Mr. Smith stated that at first, no amendments were going to be considered, now all will be considered. This indicates great cooperation with the business coalition. Mr. Smith referred to Attachment Two in the packet. On March 20, 2003, a meeting was held with the County Elections Department, legislative staff, city intergovernmental representatives, ADOT, and members of the business coalition. It appears that although the time to approve the authorizing legislation is short, the Legislature could convene in January 2004 and provide the authorization language in time for a May 18, 2004 election.

Mr. Smith stated that the County has informed us that there are a number of issues that will be considered in the May election, such as school bond elections. He added that work is continuing to find out if there are other major issues that could take place in May. He said that staff had explored a special election date, but this process would be too time consuming because of a pre-clearance requirement through the Justice Department. Options other than May include the September primary or the November general election. Mr. Smith described the changes that have been made to the status of the seven points since they were last handed out, and were shown on Attachment Three.

Mr. Smith provided a summary of TPC consensus regarding HB 2292. Amendment number one: Funding Mechanism for Streets (Section 28-6304). Provides a funding mechanism for street improvements. This section led to a discussion at the TPC as to how best to define major arterial streets. The TPC reached consensus on the following definition: "Interconnected thoroughfares whose primary function is to link areas within the region and to distribute traffic from and to the freeways; these are routes generally of regionwide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses."

Mr. Smith reviewed Amendment number two: Planning and Administration Funds for the RPTA and MAG (28-6305). Divides the current funds going to the RPTA for administration and projects to now also go to the RPTA and MAG for planning, design and administration, monitoring, and projects to implement the tax. Mr. Smith reported that several TPC members asked for clarification on this section. It was explained that under current law, this section is responsible for funding the administration of the RPTA and some bus routes. When the new plan is developed by the Transportation Policy Committee, the funding for transit projects will flow through the Public Transportation Fund, not this section of the law. Therefore, the funds in this section were divided to the RPTA and MAG for planning, design, administration, monitoring and projects to implement the tax. Members expressed a desire to have the planning and administration funds used for these purposes to be approved each year in the Annual Work Programs of the RPTA and MAG. The TPC suggested that staff continue to work on refinements to the section to reflect the inclusion of this funding in the work programs of the RPTA and MAG.

Mr. Smith reviewed Amendment number three: Material Cost Change (28-6353). Expands the material cost change policy now used by ADOT for freeways to apply to transit. This provision would have material cost changes to the transit system approved by MAG, equivalent to what is now done for the freeway system. The TPC supported these provisions.

Mr. Smith reviewed Amendment number four: Annual Report for Transit (28-6354). Requires MAG to issue an annual report on transit. This provision would put in place for transit the same oversight procedure used to report on the regional freeway system. He stated that the TPC asked for clarification on the RPTA's role in the process. It was explained that with a successful election, the RPTA will

control the sales tax expenditures for transit through the already established Public Transportation Fund. The RPTA would be responsible for establishing a budgetary process (life cycle program) similar to what is now done by ADOT for the Regional Freeway Program. MAG would issue an annual report on the expenditures reported in the RPTA Life Cycle Program. Mr. Smith advised that the TPC supported these provisions.

Mr. Smith reviewed Amendment number five: Transit Enhancements Paid by Local Agencies (28-6353). Ensures that the cost for transit enhancements are paid by the local agency requesting the enhancement. TPC input/recommendations: He reported that the TPC supported this provision.

Mr. Smith reviewed Amendment number six: Transit Under the Citizens Transportation Oversight Committee (28-6356). Includes transit under the oversight responsibilities of the Citizens Transportation Oversight Committee. He reported that the TPC supported this provision.

Mr. Smith reviewed Amendment number seven: Sales Tax in Public Transportation Fund (48-5103). Allows for the Public Transportation Fund to receive sales tax funds for transit that are approved through an extension of the sales tax. Mr. Smith commented that the TPC clarified that the provision applied only to funds from the half-cent sales tax. The TPC supported this provision.

Mr. Smith reviewed Amendment number eight: Budget Process for Transit (Life Cycle Program) (48-5106). Requires that the RPTA develop an annual life cycle program (program budget) for transit projects similar to the budget that is currently done by ADOT. The TPC supported this provision.

Chairman Feldman-Kerr thanked Mr. Smith for staying on top of this issue. She thanked Mayor Scruggs and Mayor Giuliano for their diligent work on the effort. Mr. Smith noted that language in the final amendment was yet to be finished.

13. Comments from the Council

An opportunity was provided for Regional Council members to present a brief summary of current events. The Regional Council is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mayor Scruggs announced the World Music Fest that will be held at the American Graduate School of International Management at 59th Avenue and Greenway on Friday, March 28 from 4:00 p.m. until 1:00 a.m. and Saturday, March 29 from 10:00 a.m. until 1:00 p.m. The Spencer Davis Trio will perform at 8:30 p.m. on Friday, and Earth, Wind and Fire will perform at 8:30 p.m. on Saturday.

Mayor Robles stated that the Annual Festival in El Mirage will take place on April 25 to April 27. He invited all to attend.

Mr. Arnett asked Mayor Scruggs about the recent presentation to the NFL owners on the Super Bowl. Mayor Scruggs replied that the owners were very positive and indicated that the Valley is a wonderful place. She added that they appreciated the efforts of the TSA to secure a stadium. Mayor Scruggs indicated that it is possible that the Super Bowl could come to the Cardinals Stadium in 2008.

Vice Chair Shafer stated that the City of Surprise ends its first spring training session March 27. She stated that the baseball commissioner visited and indicated that he had never seen such a beautiful stadium, which she added, is paid for. Vice Chair Shafer noted the victory of the Royals.

Mayor Thomas stated that preparedness training for weapons of mass destruction will take place in Glendale on March 27.

There being no further business, the meeting adjourned at 6:20 p.m.

Chairman

Secretary